

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NEW YORK

JULIE A. SU¹, Acting Secretary of Labor, :
United States Department of Labor, :
 :
Plaintiff, :
v. :
 : 22-CV-4054 (ARR) (ST)
CARIBBEAN ISLAND RESTAURANT & BAR, LLC :
and BIBI ZALENA BETHUNE, Individually, :
 :
Defendants. :

JUDGMENT

WHEREAS, Plaintiff Julie A. Su, Acting Secretary of Labor, United States Department of Labor (“Acting Secretary”) filed a Complaint on July 11, 2022, alleging that Defendant Bibi Zalena Bethune (“Bethune”) violated the child labor provisions of the Fair Labor Standards Act of 1938, as amended, 29 U.S.C. § 201, *et seq.* (“FLSA”) and obstructed the Acting Secretary’s investigation;

WHEREAS, the Clerk of the Court certified that Bethune had not filed an answer or otherwise moved with respect to the complaint in this action and entered default against Bethune on May 31, 2023;

WHEREAS, the Acting Secretary filed an application for default judgment against Bethune on September 11, 2023;

¹ Pursuant to Rule 25(d) of the Federal Rules of Civil Procedure, Acting Secretary of Labor Julie A. Su is automatically substituted as Plaintiff.

WHEREAS, the Acting Secretary served Bethune with the application for default judgment and supporting papers on September 12, 2023; and

WHEREAS, this Court has fully considered the arguments and authorities submitted by the Acting Secretary,

IT IS HEREBY ORDERED, ADJUDGED, AND DECREED that:

I.

The Acting Secretary's application for default judgment is GRANTED.

II.

Judgment shall be entered for the Acting Secretary and against Defendant Bethune pursuant to Local Civil Rule 55.2(b) and Rule 55(b) of the Federal Rules of Civil Procedure.

III.

Bethune violated the FLSA's child labor provisions and obstructed the Acting Secretary's investigation, 29 U.S.C. §§ 212(c), 215(a)(4), 211(a).

III.

Bethune and her agents, employees, and all persons in active concert or participation with her are permanently restrained and enjoined from violating Sections 12(c), 11(a), and 15 of the FLSA, 29 U.S.C. §§ 212(c), 215(a)(4), 211(a).

IV.

The Court retains jurisdiction over any matter pertaining to this Judgment.

The Clerk of the Court is directed to enter judgment accordingly and close the case.

IT IS SO ORDERED.

DATED: September 13, 2023
Brooklyn, New York

/s/

HONORABLE ALLYNE R. ROSS
UNITED STATES DISTRICT JUDGE